

REMARKS

Claims 1, 2, 5-12 and 16 currently appear in this application. The Office Action of April 18, 2006, has been carefully studied. These claims define novel and unobvious subject matter under Sections 102 and 103 of 35 U.S.C., and therefore should be allowed. Applicant respectfully requests favorable reconsideration, entry of the present amendment, and formal allowance of the claims.

Rejections under 35 U.S.C. 112

Claims 1, 2, 4-12, 16 and 17 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement.

This rejection is respectfully traversed. The claims have now been amended to limit the plants to *Raphanus sativa* lines CGN 6924, CGN 7240, ATCC No. PTA-3630, or combinations thereof.

Claims 1, 2, 4-12, 16 and 17 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement.

This rejection is respectfully traversed. The claims have now been amended to limit the plants to *Raphanus sativa* lines CGN 6924, CGN 7240, ATCC No. PTA-3630, or

combinations thereof. The Examiner has agrees that using these lines would enable the claimed invention.

Claim 16 is rejected under 35 U.S.C. 102(b) as being anticipated by Giustui et al.

This rejection is respectfully traversed. Claim 16 includes the limitations of amended claim 1, namely, that the *Raphanus sativa* plants are from the lines CGN 6924, CGN 7240, ATCC No. PTA-3630 or combinations thereof. Claim 16 recites producing anthocyanins from the lines.

This rejection is respectfully traversed. The claims have now been amended to limit the plants to *Raphanus sativa* lines CGN 6924, CGN 7240, ATCC No. PTA-3630, or combinations thereof. There is nothing in Giusti that discloses or suggests using these lines for obtaining anthocyanins.

In view of the above, it is respectfully submitted that the claims are now in condition for allowance, and favorable action thereon is earnestly solicited.

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Amd. dated July 18, 2006
Reply to Office Action of April 18, 2006

Respectfully submitted,

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